

ESTTA Tracking number: **ESTTA664376**Filing date: **04/01/2015**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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| Proceeding. | 91211848 |
| Applicant | Plaintiff Cleveland Indians Baseball Company Limited Partnership |
| Other Party | Defendant Light Tribe Creations N.V. |
| Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)? | No |

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 04/03/2015. Cleveland Indians Baseball Company Limited Partnership requests that such date be extended for 90 days, or until 07/02/2015, and that all subsequent dates be reset accordingly.

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| Time to Answer : | 07/02/2015 |
| Deadline for Discovery Conference : | 08/01/2015 |
| Discovery Opens : | 08/01/2015 |
| Initial Disclosures Due : | 08/31/2015 |
| Expert Disclosure Due : | 12/29/2015 |
| Discovery Closes : | 01/28/2016 |
| Plaintiff's Pretrial Disclosures : | 03/13/2016 |
| Plaintiff's 30-day Trial Period Ends : | 04/27/2016 |
| Defendant's Pretrial Disclosures : | 05/12/2016 |
| Defendant's 30-day Trial Period Ends : | 06/26/2016 |
| Plaintiff's Rebuttal Disclosures : | 07/11/2016 |
| Plaintiff's 15-day Rebuttal Period Ends : | 08/10/2016 |

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*
- *Significant progress has been made towards settlement of this matter. Since the institution of the proceedings, the parties have had verbal and written settlement negotiations, and have drafted, reviewed and proposed settlement terms, and exchanged multiple drafts of a settlement agreement. Specifically, since the last extension, Opposer's in-house counsel completed its review of the agreement proposed by Applicant. Thereafter, Opposer's in-house counsel relayed its comments to the agreement to Opposer's outside counsel. Opposer's outside counsel reviewed the comments and revised the agreement accordingly, and sent the revised agreement to Applicant's counsel for consideration. Applicant's counsel reviewed the agreement, and relayed its counterproposal to Opposer's in-house counsel. The parties have agreed to all but two issues regarding the use and registration of the parties' marks. The additional time is requested to allow Opposer to consider Applicant's latest comments, and for the parties to continue to work towards settlement of this matter. The parties are jointly committed to reaching an amicable resolution, and*

strongly believe they will timely resolve any remaining issues. If the agreement is accepted, there will be no need to proceed with the Opposition. The parties also note that they have not yet engaged in formal discovery. In the event this motion is denied, Opposer consents to a 30 day extension of Applicant's Answer deadline from the date of the denial.

Cleveland Indians Baseball Company Limited Partnership has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Cleveland Indians Baseball Company Limited Partnership has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Respectfully submitted,

/Aryn M. Emert/

Aryn M. Emert

ame@cbl.com, jmn@cbl.com, trademark@cbl.com

alexander.odle@odle.nl

04/01/2015